



STATE OF NEW JERSEY

Board of Public Utilities

Two Gateway Center

Newark, NJ 07102

www.bpu.state.nj.us

Customer Assistance

IN THE MATTER OF THE COURTS OF)
GLENPOINTE CONDOMINIUM)
ASSOCIATION, INC., PETITIONER v.)
UNITED WATER NEW JERSEY, INC.,)
RESPONDENT)

ORDER OF EXTENSION

BPU Docket No. WC00040243U
OAL Docket No. PUC 5522-00

(SERVICE LIST ATTACHED)

BY THE BOARD:

In April 5, 2000, Courts of Glenpointe Condominium Association, Inc. (Glenpointe, Petitioner) filed a petition with the Board of Public Utilities (Board), alleging that United Water New Jersey, Inc. (Respondent) improperly charged Glenpointe for fire hydrants not located on Glenpointe's property. Glenpointe sought an order from the Board requiring United Water 1) to provide an accounting to Glenpointe for money Glenpointe paid on behalf of other customers; 2) to credit or refund the amounts overpaid; and 3) to remove from its invoice the fire hydrants not located on Glenpointe's property.

On May 26, 2000, the Board transmitted this matter to the Office of Administrative Law (OAL) for determination and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. The matter was assigned to Administrative Law Judge (ALJ) Mumtaz Bari-Brown. On March 29, 2002, Respondent United Water moved for summary decision. On November 21, 2002, ALJ Bari-Brown denied the motion and concluded that Glenpointe was entitled to a credit from United Water for overbilling and that the sole issue in dispute was the amount of overpayment. A hearing was scheduled for September 12, 2003.

Thereafter, Petitioner moved for summary decision, claiming the amount of overpayment was \$23,319.50. Respondent moved to dismiss the petition. Each party opposed the other's motion for relief.

On November 26, 2003, ALJ Bari-Brown filed her Initial Decision, granting Petitioner's motion for summary decision and denying Respondent's motion to dismiss. ALJ Bari-Brown ordered United Water to refund or credit Glenpointe in the amount of \$23,319.50.

The forty-five (45) day statutory period for the review and rendering of a Final Decision by the Board is to expire on January 9, 2004. However, the Board has determined that it is necessary to extend the effective date by which it must act on the Initial Decision so that it will have sufficient time to examine the record in the case.

The Board has shown good cause why it cannot adopt, modify, or reject the Initial Decision within the statutory time period. Therefore, pursuant to N.J.S.A. 52:14B-10(c), it is ORDERED that the time for the Board to render a final decision be extended until February 23, 2004.

DATED: 1/9/04

BOARD OF PUBLIC UTILITIES
BY:

(SIGNED)

JEANNE M. FOX
PRESIDENT

(SIGNED)

FREDERICK F. BUTLER
COMMISSIONER

(SIGNED)

CAROL J. MURPHY
COMMISSIONER

(SIGNED)

CONNIE O. HUGHES
COMMISSIONER

(SIGNED)

JACK ALTER
COMMISSIONER

ATTEST:

(SIGNED)

KRISTI IZZO
SECRETARY

The Courts of Glenpoint Condominium Association, Inc. v. United Water New Jersey, Inc.

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